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* ADMITTED IN MD ONLY

By Email and First Class Mail

February 26, 2018

Sean P. Carter, Esquire
Scott Tarbutton, Esquire
Cozen O'Connor, P.C.
1650 Market Place
Philadelphia, PA 19103-7301

Re: *In re Terrorist Attacks*, No. 03-MDL-1570

Dear Counsel:

I write on behalf of the Defendants Dr. Abdullah Al-Turki, Dr. Abdullah Al-Obaid, Dr. Abdullah Naseef, and Dr. Adnan Basha, in response to your letter of February 6, 2018, which sought to schedule their depositions.

I am working on determining their specific availability. As a preliminary matter, I expect that all four deponents will require an Arabic translator; although several can read in English, they are much more fluent in Arabic. Also, as you know, it is unlikely that they will be able to be deposed during the month of Ramadan (May 16 – June 14).

Finally, one or more of these individuals will be unable to travel outside their home country due to medical issues. Since Judge Netburn's Deposition Protocol Order and her statements at the September 7, 2017 court hearing specifically contemplated taking depositions by video conferencing, this will substantially reduce plaintiffs' expenses, since you will be able to take the depositions from your office, without any travel involved.

Sincerely,

/s/ Alan

Alan R. Kabat

cc: MDL 1570 counsel

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April 16, 2018

Sean P. Carter, Esquire
Scott Tarbutton, Esquire
Cozen O'Connor, P.C.
1650 Market Place
Philadelphia, PA 19103-7301

Re: *In re Terrorist Attacks*, No. 03-MDL-1570

Dear Counsel:

I write on behalf of the Defendants Dr. Abdullah Al-Turki, Dr. Abdullah Al-Obaid, Dr. Abdullah Naseef, and Dr. Adnan Basha, in response to the queries that plaintiffs' counsel raised during the discovery conference call on April 11, 2018.

First, Dr. Naseef remains hospitalized and is not able to sit for a deposition. I will let you know if his health improves to the point where he would be able to sit for a deposition.

Second, Drs. Al-Turki, Al-Obaid, and Basha would have to be deposed by videoconferencing from Saudi Arabia, and would require an Arabic translator. We can work with you to identify a suitable office location in Saudi Arabia for the videoconferencing, which will save the plaintiffs the substantial travel expenses of taking depositions in Western Europe.

As plaintiffs had previously indicated that they did not want to depose these individuals until after the motions to compel were resolved as to the charity organizations, I had assumed that plaintiffs were waiting for that to be addressed. Under the Deposition Protocol Order, ¶ 38 (ECF No. 3894), each of these individuals "will only be deposed once," so that the single deposition of each will serve as both a deposition in their capacity as individual defendants (for jurisdictional purposes), and a deposition in their capacity as a former officer of the MWL or IIRO (for merits discovery as to the charities).

Also, these individual defendants do not presently anticipate noticing depositions of other witnesses, although they may participate in depositions noticed by other parties.

Sean P. Carter, Esquire
Scott Tarbutton, Esquire
April 16, 2018
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Finally, as I had previously mentioned (and as counsel for another defendant has mentioned with respect to its client), these individuals will not be able to sit for a deposition during Ramadan (May 16 to June 14 this year), as the fasting requirements would render them exhausted or otherwise not fully able to concentrate. As I will be out of town the week following Ramadan (for a family member's memorial service), it appears that these depositions could be scheduled starting sometime in July 2018.

Sincerely,

/s/ Alan

Alan R. Kabat

cc: MDL 1570 counsel

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June 8, 2018

Sean P. Carter, Esquire
Scott Tarbutton, Esquire
Cozen O'Connor, P.C.
1650 Market Place
Philadelphia, PA 19103-7301

Re: *In re Terrorist Attacks*, No. 03-MDL-1570

Dear Counsel:

I write on behalf of the Defendants Dr. Abdullah Al-Turki, Dr. Abdullah Al-Obaid, Dr. Abdullah Naseef, and Dr. Adnan Basha, in response to the deposition notices and cover letter that you sent on June 4, 2018.

As a threshold matter, I never received any response to my letter dated April 16, 2018, in which I wrote that (1) "Dr. Naseef remains hospitalized and is not able to sit for a deposition;" (2) "Drs. Al-Turki, Al-Obaid, and Basha would have to be deposed by videoconferencing from Saudi Arabia, and would require an Arabic translator;" and (3) that our understanding was that plaintiffs did "did not want to depose these individuals until after the motions to compel were resolved as to the charity organizations." Therefore, the absence of any response over the past two months led me to believe that the depositions would not be noticed until those motions were resolved, so that there was no need to provide potential deposition dates.

I can confirm that Dr. Naseef is still hospitalized and is still unavailable for any deposition. As before, I will inform you if his health should improve to a condition where he can participate in a deposition.

As to the other three individuals, since they "will only be deposed once" in this litigation (Deposition Protocol Order, at ¶ 38), their deposition will also be defended by counsel for MWL and IIRO, so it will be necessary to coordinate the scheduling with them. As a preliminary matter, they would not be available during the period of July 15 to 23, 2018, due to other commitments that they and the three individuals have during that specific time period.

Sean P. Carter, Esquire
Scott Tarbutton, Esquire
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Dr. Basha's deposition will have to take place by videoconferencing as expressly contemplated under the Deposition Protocol Order, since he is legitimately concerned about the safety of traveling outside his home country, given the allegations against him and the prior designations of several IIRO branch offices. He resides in Jeddah, so we propose the period of August 5 to 9, 2018 for scheduling his deposition, as that is the only August date available for him. (As you may know, the annual Hajj pilgrimage takes place later in August, and Jeddah will be overcrowded with pilgrims, making travel to and from Jeddah for any other purpose essentially impossible.) Dr. Basha will be undergoing extensive medical treatment in September 2018, so we do not want to schedule anything for him in that month.

Dr. Al-Obaid does have a travel visa for London, and we are holding open the dates of September 9 to 15 for his deposition.

We are confirming the availability of Dr. Al-Turki in August and September, but for now we are holding open the dates of August 5 to 9, 2018 (in Saudi Arabia) and September 9 to 15, 2018 (in London), subject to his ability to obtain a visa. We may have to request Rome or Madrid and not London, depending upon logistical considerations. However, if the plaintiffs will agree to videoconferencing for Drs. Al-Obaid and Dr. Al-Turki (as for Dr. Basha), then it should be much easier to schedule their depositions.

Sincerely,

/s/ Alan

Alan R. Kabat

cc: MDL 1570 counsel

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July 20, 2018

Sean P. Carter, Esquire
Scott Tarbutton, Esquire
Cozen O'Connor, P.C.
1650 Market Place
Philadelphia, PA 19103-7301

Re: *In re Terrorist Attacks*, No. 03-MDL-1570

Dear Counsel:

I write on behalf of the Defendants Dr. Abdullah Al-Turki, Dr. Abdullah Al-Obaid, Dr. Abdullah Naseef, and Dr. Adnan Basha, in response to the deposition notices and cover letter that you sent on July 9, 2018. First, we can confirm that Dr. Al-Turki, Dr. Al-Obaid, and Dr. Basha are all available for a deposition during the period of September 10 to 18, 2018. However, only Dr. Al-Obaid is physically able to travel to London (or elsewhere in Europe) for his deposition, as the other two defendants both have serious health issues (and Dr. Basha has is the sole caregiver for his extremely aged mother, who also has serious health issues), as set forth in their Declarations that we filed earlier today. Dr. Al-Turki's physician has recently advised him that travel to Europe for deposition is not medically indicated. Dr. Basha, in addition, was not granted a visa when he last sought one to the United States and is doubtful he could obtain a UK or Schengen visa, and for health and family reasons cannot travel to Europe.

Therefore, their depositions would have to take place by videoconference, as expressly contemplated by Sections 31 and 32 of the Deposition Protocol Order (ECF No. 3894) (Jan. 31, 2018). Given that Dr. Al-Obaid is in Riyadh (as is Dr. Al-Turki), while Dr. Basha is in Jeddah, and in order to minimize cost and travel for counsel, we propose that all three depositions take place by videoconference, so that defense counsel would not have to travel from London to Saudi Arabia (which is a 6.5 to 7 hour flight, not counting time traveling to/from the airports) in the middle of that deposition period. This will also result in significant economies for plaintiffs' counsel, who can easily take the depositions from their home offices, without having to incur the considerable travel expenses of travel to London.

Sean P. Carter, Esquire
Scott Tarbutton, Esquire
July 20, 2018
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In sum, we are fully prepared to move forward with these depositions, but logistically, these depositions should take place in one country in one time frame rather than having one witness and numerous lawyers moving to London from the U.S. and Saudi Arabia for a single deposition. We can work with you to identify suitable locations in Jeddah and Riyadh for the depositions to take place, *i.e.*, with videoconference facilities and translators. All three deponents are native Arabic speakers and, while Dr. Al-Obaid and Dr. Basha speak some English, neither is comfortable being deposed in English (Dr. Al-Turki does not speak English).

Finally, with respect to Dr. Naseef, he continues to be unable to participate in a deposition this year, due to his severe and multiple health issues. We have been in touch with his son and are obtaining more current and detailed information. We anticipate filing a response with the Court later this month that will provide more detail, but it is obvious to us that his physical and mental health would not allow him to sit for a deposition at this time.

Sincerely,

/s/ Alan

Alan R. Kabat

cc: MDL 1570 counsel